PRESENT—*cont.*

Thangal, Mr. P. M.
Thomas, Mr. Daniel.
Thorne, C.I.E., I.C.S., Mr. J. A.
Vasudeva Pillai, Mr. V. G.
Vedachala Mudaliyar, Mr. M.
Venkatarama Ayyar, Mr. K. R.
Venugopal Nayudu, Rao Bahadur R. K.
Viswanatha Rao, Diwan Bahadur V. N.
Yahya Ali Sahib Bahadur, Khan Bahadur.
Yakub Hasan Sahib Bahadur.
Zamindar of Kirlampudi, The.

I.—QUESTIONS AND ANSWERS.

Law and Order (General)

Declaration of the Swarajya Asram at Polavaram as an unlawful association.

* 778 *Q.*—Mr. SAMI VENKATACHALAM CHETTI: Will the Hon. the Home Member be pleased to state—

(*a*) whether the Swarajya Asram of Polavaram, East Godavari Agency, was declared unlawful in 1932; and

(*b*) whether such notification was since withdrawn; and if not, why not?

A.—(*a*) & (*b*) The members of the Swarajya Asram at Polavaram in the district of East Godavari were declared to be an unlawful association on 1st February 1932 under the Indian Criminal Law Amendment Act; the Asram was not itself notified as a ' place ' or taken possession of by the Government. The question of relinquishing possession of it or withdrawing the notification in respect of it does not therefore arise.

Mr. V. M. RAMASWAMI MUDALIYAR:—" May I know, Sir, in view of more settled conditions now prevalent in the country, what justification there is for the continuance of the notification? "

The Hon. Sir MAHOMED USMAN:—" If the hon. Member will read the answer to the question, he will find ' the question of relinquishing possession of it or withdrawing the notification in respect of it does not therefore arise '."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Arising out of the answer to clauses (*a*) and (*b*), the important question is, in view of the more settled conditions now prevalent, whether there is any justification for the continuance of the notification? "

The Hon. Sir MAHOMED USMAN:—" As far as I know, the notification is not in force now."

Declaration of the Polavaram Swarajya Asram and the Sitanagaram Gowtami Asram as unlawful associations.

* 779 *Q.*—Mr. A. RANGANATHA MUDALIYAR:—" Will the Hon. the Home Member be pleased to state whether the Polavaram Swarajya

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Asram and the Sitanagaram Gowtami Asram in East Godavari district were declared unlawful associations; and, if so, why, when and in whose possession they are now?

A.—As regards the Polavaram Swarajya Asram, the attention of the hon. Member is invited to the answer to question No. 778.

As regards the Sitanagaram Gowtami Asram, the members of it were declared to be an unlawful association on the 9th January 1932 on account of their activities in furtherance of Civil Disobedience and the place was notified under sub-section (1) of section 3 of the Unlawful Association Ordinance, 1932, on the 16th January 1932, on the ground that it was used for the purpose of the Sitanagaram Asram, the members of which were declared to be an unlawful association. The Asram has been returned to Mr. B. Subrahmanyam, the first member and President of the Asram.

Mr. A. RANGANATHA MUDALIYAR:—" The answer states that the members of the Asram were declared to be unlawful association. I want to know, how can they be individually declared an unlawful association? "

The Hon. Sir MAHOMED USMAN:—" We had authority of our legal adviser to take action in the manner we have taken."

Mr. P. PEDDI RAJU:—" May I know, Sir, whether the Asram was handed over to Mr. Subrahmanyam intact, or some articles were confiscated? "

The Hon. Sir MAHOMED USMAN:—" As far as I remember, I do not think there was confiscation."

Mr. ABDUL HAMEED KHAN:—" May I know, Sir, if the association has been declared unlawful or the members? "

The Hon. Sir MAHOMED USMAN:—" It is stated in the answer."

Mr. ABDUL HAMEED KHAN:—" No, Sir. I request the Hon. Home Member to read the answer. It is stated there, ' on the 16th January 1932, on the ground that it was used for the purpose of the Sitanagaram Asram, the members of which were declared to be an unlawful association.' "

The Hon. Sir MAHOMED USMAN:—" All the members of the Asram were declared to be an unlawful association."

Mr. ABDUL HAMEED KHAN:—" I want to know whether the members were declared unlawful collectively or individually? "

The Hon. Sir MAHOMED USMAN:—" I would request the hon. Member to draw his own conclusion by reading the answer."

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Mr. P. PEDDI RAJU:—"May I know if the Government have received any representation from Mr. Subrahmanyam that some articles in the Asram have not been handed over to him?"

The Hon. Sir MAHOMED USMAN:—"Notice, Sir."

Land Revenue Administration

Probation of clerks of the Settlement Department re-employed on the District Revenue Staff.

* 780 *Q.*—Mr. P. PEDDI RAJU: Will the Hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have ordered that retrenched and disbanded clerks of the Settlement Department should be re-employed on the District Revenue Staff;

(*b*) whether the previous service of clerks so re-employed in the Revenue Department is taken into consideration for fixing the date of completion of the period of probation as required in rule 6 (*b*) of the general rules laid down in G.O. No. 712, dated 2nd July 1929; and

(*c*) whether it is a fact that certain Collectors in Northern Circars have taken the temporary service also in fixing the date of completion of probation of retrenched and disbanded Settlement clerks and are thus giving and have given them a preferential claim for retention or confirmation in service over the candidates who have been taken as probationers or who have completed their probation prior to the re-employment of the Settlement clerks?

A.—(*a*) The Government have directed that the subordinates discharged from Settlement parties as a measure of retrenchment should be distributed among the districts with a view to their being re-employed in the regular line in the districts. As regards Settlement subordinates discharged otherwise than as a measure of retrenchment, Collectors have discretion to appoint them in the regular line if they are qualified for such appointment.

(*b*) Yes.

(*c*) The Government have no definite information in regard to the action taken by the Collectors referred to. The orders of the Government on the point are that the seniority of men discharged as a measure of retrenchment should be fixed with reference to rule 6 (4) of the Madras Retrenchment and Re-employment Rules and that of men discharged otherwise than as a measure of retrenchment should be fixed with reference to the date on which they completed their probation and in the case of probationers with reference to the total period of probation undergone by each.